



U.S. Department of Justice

United States Attorney
Southern District of New York

The Silvio J. Mollo Building
One Saint Andrew's Plaza
New York, New York 10007

January 8, 2021

BY ECF

Honorable P. Kevin Castel
United States District Judge
Southern District of New York
500 Pearl Street
New York, NY 10007

Time for pretrial submissions deferred pending further order.

SO ORDERED.
Dated: 1/11/2021

P. Kevin Castel
United States District Judge

Re: United States v. Terry Former et al., No. 19 Cr. 781 (PKC)


Dear Judge Castel:

The Government and defendants Terry Former and Jazmyne Alyce Johns jointly and respectfully submit this letter to request an adjournment of the deadline for filing pretrial materials, including motions *in limine*, voir dire, and requests to charge, currently scheduled for February 1, 2021. This is the first such request by the parties. As the Court is aware, no trial date has yet been set in the above-captioned matter, although trial is tentatively scheduled to be set in the second quarter of 2021 contingent upon confirmation by the District Court Trial Scheduling Committee. Defendant Former has filed a motion to suppress certain evidence recovered from one of his cellphones, which has been fully briefed and is pending before the Court. In addition, the Government is currently engaged in serious discussions with defendant Johns regarding a potential pre-trial disposition.

Accordingly, the parties jointly request that the Court adjourn the current deadlines for the filing of pretrial materials, and respectfully propose setting a schedule for the filing of such materials once the Court has ruled on Former's motion to suppress or a trial date has been confirmed. This approach would allow the Court to set a schedule for motions *in limine*, taking into account 3500 and trial exhibit deadlines, such that the parties would be able to identify and resolve more issues prior to trial. In particular, the Government anticipates that resolution of Former's motion to suppress and any pre-trial dispositions would narrow or eliminate some of the issues that would otherwise need to be raised to the Court in motions *in limine*.

Respectfully submitted,

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